

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 04A-058AT

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IN THE MATTER OF THE APPLICATION OF OMNETRIX INTERNATIONAL, INC. TO  
DISCONTINUE OR CURTAIL JURISDICTIONAL TELECOMMUNICATIONS SERVICE.

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**ORDER SETTING HEARING**

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Mailed Date: March 31, 2004  
Adopted Date: March 31, 2004

**I. BY THE COMMISSION**

**A. Statement**

1. On March 31, 2004, the Colorado Office of Consumer Counsel (OCC), Staff of the Commission (Staff), and Omnetrix International, Inc. (Omnetrix) filed a Joint Motion to Approve Proposed Transition Plan and Request to Waive Response Time. In this Joint Motion the parties present the Commission with a plan to transition Omnetrix's retail customers to Qwest Corporation (Qwest) in an expedited manner. The Joint Motion and Plan also provide details regarding notice to customers, rule waivers requested, and financial problems. It also raises other possible concerns regarding the involvement of DHS West, LLC, an apparent secured creditor of Omnetrix, Colorado Teleserv, Inc., a company apparently providing service to Omnetrix's customers, and Frank Ramogida Holdings, Inc., a company that has apparently encumbered all current and future receivables of Omnetrix.

2. Because of so many unanswered questions and our concern for the retail customers' confusion and continuity of service, we will set this matter for hearing before the Commission *en banc*. We realize that the more expeditiously this matter can be addressed,

the better. With that in mind, we will hold this hearing, as suggested in the Joint Motion, on April 8, 2004.

3. To further expedite this transition, we require Omnetrix to bring to the hearing its complete and accurate customer list including: customer's names, telephone number, billing address, presubscribed interexchange carrier (PIC), and local PIC, optional features and any other relevant information contained in the customer service record. The Commission will review this information at the hearing to determine whether it is adequate to allow for the transition of customers.

4. All parties in this docket, including Omnetrix, Staff, the OCC, and Qwest, are ordered to attend this hearing and have a representative available to testify.

## **II. ORDER**

### **A. The Commission Orders That:**

1. A hearing in this matter will be held before the Commission *en banc*:

DATE: April 8, 2004

TIME: 10:30 A.M.

PLACE: Commission Hearing Room  
1580 Logan Street  
Office Level 2  
Denver, CO 80203

2. Response time to this Joint Motion is waived.

3. This Order is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 31, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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Commissioners

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